

# NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

## NOTICE OF RULEMAKING DOCKET OPENING

### DEPARTMENT OF ADMINISTRATION PERSONNEL ADMINISTRATION

- 1. Title and its heading:** 2, Administration  
**Chapter and its heading:** 5, Department of Administration  
Personnel Administration  
**Article and its heading:** 7, Grievances  
**Section numbers:** R2-5-701 and R2-5-702
- 2. The subject matter of the proposed rule:**  
The rules in this Article provide all of the bases and procedures for filing grievances and establish the plan for resolving employee grievances and complaints.
- 3. A citation to all published notices relating to the proceeding:**  
None published
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Claudia Smith, Human Resources Consultant  
Address: ADOA Human Resources  
100 N. 15th Avenue, Suite 261  
Phoenix, AZ 85007  
Telephone: (602) 542-4897  
Fax: (602) 542-2796
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments: 8:00 a.m. to 5:00 p.m., Monday through Friday  
Oral comments: 8:00 a.m. to 4:00 p.m., Tuesday, Wednesday, and Friday  
ADOA Human Resources  
100 N. 15th Avenue, Suite 261  
Phoenix, AZ 85007
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
A Notice of Proposed Rulemaking is being submitted and a public hearing will be conducted July 1, 2003. The timetable for approval is September 2003.

**NOTICE OF RULEMAKING DOCKET OPENING**

**STATE LAND DEPARTMENT**

- 1. Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 5, State Land Department  
**Article and its heading:** 4, Sales  
**Section number:** R12-5-413
- 2. The subject matter of the proposed rule:**  
A.R.S. § 37-132(B)(2) authorizes the State Land Commissioner to use private real estate brokers to assist in any sale or long-term lease of state land. The Department is authorized to pay, within certain parameters, a commission to licensed real estate brokers or their agents for their services associated with the successful selling or long-term commercial leasing of state properties at public auction. Pursuant to R12-5-413(B), "...the commission paid shall be the amount collected pursuant to A.R.S. § 37-108(A)(10)(a)."  
  
The Arizona State Land Department finds that R12-5-413(B), as written, restricts the Commissioner's ability to provide appropriate commissions to brokers in keeping with economic trends in the real estate business and consistent with the services provided in a transaction. To provide fair and equitable broker fees, the Commissioner needs to be able to assess the amount of work required of a broker relating to a proposed sale or long-term lease of state land and offer a commission appropriate to the transaction.  
  
The Department proposes to amend R12-5-413(B) to provide for real estate broker fees to be paid from the fees collected under A.R.S. § 37-108(A)(10)(a) and that the fees are to be commensurate with the proposed long-term leasing or sales transaction.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Richard B. Oxford, Director  
Land Information, Title and Transfer Division  
  
Address: Arizona State Land Department  
1616 W. Adams  
Phoenix, AZ 85007  
  
Telephone: (602) 542-4602  
Fax: (602) 542-5223
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments: 8:00 a.m. to 4:30 p.m. Monday through Friday  
Oral comments: 8:00 a.m. to 4:00 p.m. Monday through Friday  
Arizona State Land Department  
1616 W. Adams  
Phoenix, AZ 85007
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
The following outlines a tentative timetable for the rule development schedule:  
May 2003 – Notice of Proposed Rulemaking submitted to Secretary of State  
July 2003 – Submission of final rule to Governor's Regulatory Review Council  
August 2003 – Governor's Regulatory Review Council consideration of rule

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION  
TITLE, REGISTRATION, AND DRIVER LICENSES**

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation  
Title, Registration, and Driver Licenses  
**Article and its heading:** 4, Driver Licenses  
**Section numbers:** R17-4-401 and R17-4-404
2. **The subject matter of the proposed rule:**  
The amendment action of this rulemaking will consolidate definitions from R17-4-404, Driver Point System, into R17-4-401, the primary Section for definitions for this Article. Cross citations within these two Sections will also be brought into correct alignment. The agency will make no changes to substantive provisions in either Section.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 9 A.A.R. 1391, May 9, 2003
4. **The name and address of agency personnel to whom persons may communicate regarding the rule:**  
Name: George R. Pavia, Department Rules Supervisor  
Address: Administrative Rules Unit  
Department of Transportation, Mail Drop 507M  
3737 N. 7th Street, Suite 160  
Phoenix, AZ 85014-5079  
Telephone: (602) 712-8446  
Fax: (602) 241-1624  
E-mail: gpavia@dot.state.az.us  
Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at [www.dot.state.az.us/about/rules/index.htm](http://www.dot.state.az.us/about/rules/index.htm).
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
A concerned person may submit comments to the agency official listed in item #4 from 8:00 a.m. to 4:30 p.m., Monday through Friday except state holidays.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
The agency is filing a Notice of Proposed Rulemaking at the same time as this Notice of Rulemaking Docket Opening. The Secretary of State will publish both notices in the same issue of the *Arizona Administrative Register*.